

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Northern District of New York

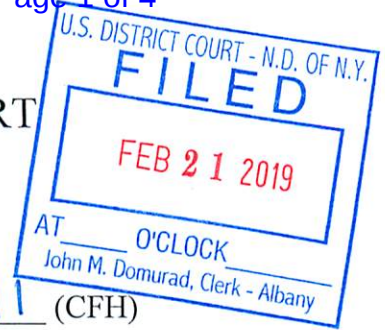
UNITED STATES OF AMERICA)

v.)

VISHWANATH AKUTHOTA,)

Defendant.)

Case No. 1:19-MJ-91 (CFH)



CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date of February 14, 2019 in the county of Albany in the Northern District of New York the defendant violated:

*Code Section**Offense Description*

18 U.S.C. § 1030(5)(A)

Intentional Damage of a Protected Computer

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

Complainant's signature

Marc Smith, Special Agent, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: February 21, 2019

Judge's signature

City and State: Albany, New York

Hon. Christian F. Hummel, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A CRIMINAL COMPLAINT**

I, Marc Smith, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. Since March 2017, I have been a Special Agent with the Federal Bureau of Investigation (the "FBI"). During this time, I have been assigned to a computer intrusion squad in the FBI's Albany Field Office. In connection with this assignment, I have received many hours of specialized cyber training, including on the topic of computer networking. I have also received training and gained experience in interviewing and interrogation techniques, the execution of federal search warrants and seizures, as well as the identification and collection of computer-related evidence.

2. During my time as a Special Agent, I have participated in the execution of search warrants involving electronic evidence and have been involved in investigations of computer intrusions as well as of criminal hackers. I have earned credentials from the Association of Certified Fraud Examiners, the Information Systems Audit and Control Association, the International Information System Security Certification Consortium, and the Global Information Assurance Certification.

3. As a Special Agent, I am responsible for conducting criminal investigations of criminal statutes contained in Title 18 of the United States Code, including crimes related to computer intrusions. I am authorized to apply for and execute search warrants and arrest warrants for offenses enumerated in Title 18 of the United States Code. I have participated in and directed investigations involving identity theft and various types of fraud committed using stolen identities.

As a result of my training and experience, I am familiar with the tactics, methods, and techniques involved in committing various types of fraud and computer hacking.

INVESTIGATION

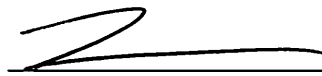
4. The facts set forth in this affidavit are based on my own investigation, together with information I obtained from a variety of sources, including other law enforcement officials, official FBI records, analysis of records, and surveillances. I have not included every fact regarding this investigation. I have only set forth the facts that I believe are necessary to establish probable cause.

5. On February 14, 2019, the Albany Police Department responded to a report from an Assistant Director of Security for the College of St. Rose in Albany, New York. The Assistant Director reported that, earlier on February 14, 2019, a male entered several locations on campus and appeared to manually insert a device into over 50 computers which destroyed the computers' motherboards, rendering the computers inoperable. According to employees of the College of St. Rose, the damage from this incident exceeds \$50,000. Employees of the College of St. Rose provided law enforcement with video surveillance of the locations where the computers were destroyed. I have personally reviewed that video surveillance, which reflects a male wearing a red sweatshirt, blue jeans, black sneakers, and gray backpack enter the locations where the computers are located and insert what appears to be a device into the computers. Law enforcement has compared the male from that video surveillance with known images of Vishwanath Akuthota and believes that the individual depicted in the video surveillance damaging the computers is Vishwanath Akuthota. Further, employees of the College of St. Rose familiar with Vishwanath Akuthota—a graduate of the College of St. Rose—confirmed that the individual depicted in the video surveillance was Vishwanath Akuthota.

6. I am familiar with a commercially-available device known as a “USB Killer Device” which is capable of instantly disabling the electronics of devices that it is plugged into. A “USB Killer Device” resembles a normal USB stick, but in lieu of being a storage device it functions by rapidly charging on-board capacitors and discharging the voltage over the data lines into the host device, repeating the cycle several times per second. This process ultimately renders the host electronic device inoperable by damaging the port, hard disk, and overall electrical system. Based on the investigation to date, I believe it is likely that the device Vishwanath Akuthota inserted into the computers, rendering them inoperable, was a “USB Killer Device” or a similar device designed to quickly destroy the computers’ motherboards.

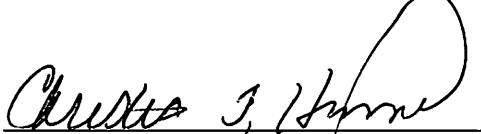
7. Based on my training and experience and the facts as set forth in this affidavit, I submit there is probable cause to believe that violations of 18 U.S.C. § 1030(A)(5) (Intentional Damage of a Protected Computer) have been committed by Vishwanath Akuthota.

Respectfully submitted,



Marc Smith
Special Agent
Federal Bureau of Investigation

Sworn to and subscribed before me this 21st day of February, 2019



Hon. Christian F. Hummel
United States Magistrate Judge
Northern District of New York